

JULY 20, 2006

PUBLIC HEARING & TOWN BOARD MEETING

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| Present at meeting: | Ralph Bentley | Supervisor |
| | Frank Hill | Councilman |
| | Kenneth Higgins | Councilman |
| | Robert Olson | Councilman |
| | Shirley Hayes | Councilman |
| Arlene Mayer | Town Clerk | |

Also: William & Louise Trudsoe, Christy Maday, Albert Maday, Margaret Maday, Joseph Maday, J. Maday, Fred Engelmenn, Wayne Rapp, Sheila Rapp, Gayle Baker, Troy Scripture, Diane Bisner, Thomas Corley, Malcome Hadden, Ken Nitz, Jason Nitz, Angela Vandemark, James Robbins, Carol Rapp, Steven Neander, Elaine McKhann, Roger Houck, Jack McKhann, Harry Balz, Paul Smith, Joseph Koch, others.

Supervisor Bentley opened the public hearing on the proposed Local Law regarding speed limits on boats in Schroon Lake, and the clerk read the legal notice. (People were asked to state their names before speaking. Mistakes may have been made on unclear names.)

Mr. Hadden spoke against the proposed Local Law saying he felt it was a personal issue for Mr. Koch. Mr. Koch said he has a petition he is presenting to the Town Board with 111 signatures of East Shore Association members. Mr. Koch asked the Board to extend a previous Local Law to include all waters of the Town of Horicon, not just Brant Lake. Mr. Koch requests this because he does not want boats speeding on the lake. Mr. Koch said he is in favor of the proposed Local Law because people are “sick and tired of the speeding”. Also speaking against the Local Law were Steve Neander and Augie Vandermark. Question as to who would enforce the law (Sheriff’s Dept.). A statement was made that it is not a good enough reason to pass a law, based on the thought that someone might get hurt. Mr. Hadden spoke for many members of the group present who race the fast boats on the lake saying, “we do not want to lose this liberty”. Mr. Hadden added that their group is very safety conscience and tries to help with the policing on the lake. It is Mr. Hadden’s belief that there are many more unsafe 30 MPH boaters than 100 MPH racers.

Ken Nitz, professional boater, suggests the Town come up with a safety program to educate the boaters. Mr. Nitz would like everyone to “work together”. Mr. Nitz also commented that he has not known of one accident on the lake that involved speed. Al Maday said there were no complaints to the Sheriff’s Dept this year except one at Sand Point in a 5 MPH area. Mr. Maday added that it’s not the boats in the middle of the lake causing accidents, it’s the boater going 25 MPH close to people’s docks, and swimmers.

Margaret Maday asked how far out in the lake does Horicon control? Supervisor Bentley said to the center of the lake, the east shore of the island. Mrs. Maday said all members of the Schroon Lake Association were not asked to sign the petition. Al Maday said he has owned boats since childhood and never had one complaint. Mr. Maday said there is a law for reckless boaters already on the books and those are the ones you need to be after. Mr. Koch said the complaints are with the many signatures on the petition, these are the people complaining. Mr. Koch added the issue is with speeders and the increase of boaters, especially fast boaters. Mr. Koch said other towns have clamped down on the fast boats and now we get the overflow from restricted lakes, and lakes that charge fees. Mr. Koch added “lets put our heads together and find a reasonable speed limit”. Tom Corlew said the Sunday traffic in front of “Joes” house is “horrendous”, but there are no speeders going over 45 MPH as he checks it with his radar gun.

Discussion regarding boat launch problem, too many people using it every day and parking violations. Would permits ease problems (probably not)? Suggestions of trying to get groups together and listening to the needs of all types of boaters. Al Maday said recklessness/speed depends on where on the lake you are and what the conditions are. Mr. Maday said he feels they all are in agreement with wanting everyone to enjoy the lake.

Mr. Hadden used example saying that once PWC's were a big problem on the lake and now through education and cooperation they are not. Mr. Hadden suggested signs be put up with a message about enjoying our lake, obeying our rules and being cautious. Suggestion to regulate the boat launch through fees if that would help situation. Lettie McCauley said why should safe drivers be punished with speed limit? Boaters should be licensed and boats are numbered so they can be reported.

Discussion on petition handed in by Mr. Koch. It was mentioned that 111 signatures are just a handful of the people with interests in the lake, they could come from just Adirondack Lodges. Question regarding how much it would cost town to enforce this proposed law. Supervisor Bentley said "nothing, it will be enforced by Sheriff's Dept.

Supervisor Bentley then declared the public hearing will be left open until August 17th for written comments.

The regular meeting was then called to order at 7:38 PM by Supervisor Bentley.

Adirondack Internet- Mr. Fred Englemann addressed the Town Board regarding expanding coverage for high speed internet. After a brief presentation, the Board requested a written proposal for the service. Mr. Englemann said he would be happy to provide one.

Approval of Minutes: The minutes of June 15th were approved by MOTION of Messrs. Olson & Higgins, all ayes. Councilwoman Hayes questioned the wording in the clerk's advertisement for a RFP for stone work on the fountain. Councilwoman Hayes said the Resolution she introduced was just for working from a raft, not for drawing down the Mill Pond as an alternative. The clerk said that the alternative was added by one of the Councilman when she was writing down the Resolution.

Abstracts:

RESOLUTION NO. 90 OF 2006

Mr. Hill & Mrs. Hayes introduced Res. 90 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT OF ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the payment of the July Abstracts:

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|---------------------------|-------------|
| Highway Vouchers 130-147 | \$43,177.14 |
| General Vouchers 183-218 | \$20,840.61 |
| Highway Abstracts 18 & 19 | \$ 9,075.44 |
| General Abstracts 18 & 19 | \$17,486.22 |

Hill-aye, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

Councilman Hill questioned the Anderson Equipment voucher saying we have returned the rented equipment and they are still charging. The check will be held until the situation is resolved.

The voucher for the swing set delivered today was to late for the abstract, the following authorizes payment:

RESOLUTION NO. 91 OF 2006

Mr. Higgins & Mrs. Hayes introduced Res. 91 and moved its adoption:

RESOLUTION TO AUTHORIZE PAYMENT FOR SWING SET

RESOLVED, that the Town Board does hereby authorize the payment of \$1,410.00 to R.E. Woodson, Inc. for the swing set ordered for the Brant Lake playground.

Hill-aye, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

REPORTS- Supervisor, Town Clerk, Zoning, Assessor, Highway Garage

COMMUNICATIONS-

NY Planning Federation

RE: Planning Conference

NYSDEC

RE: Dam Safety Information

NW Chamber of Commerce

RE: Proposal for post card

Marc Lustic

RE: Contributions to Mill Pond Fund

Wayne Farmer

RE: Resignation of Foreman

Mary Jane Dower

RE: Thank you for Town's help

Brant Lake Estates

RE: Speed limit

Sheri Norton

RE: GIS Grant

Action on Communications-

Messrs. Higgins & Hill made a MOTION to accept the resignation of Wayne Farmer as working foreman of the highway department, all ayes. Highway Superintendent Granger has appointed Darian Granger as working foreman.

RESOLUTION NO. 92 OF 2006

Messrs. Hill & Higgins introduced Res. 92 and moved its adoption:

**RESOLUTION TO REQUEST STUDY FOR SPEED
LIMIT IN BRANT LAKE ESTATES AND TO
AUTHORIZE POSTING OF STOP SIGN**

RESOLVED, that the Town Board does hereby petition New York State Department of Transportation to conduct a study of the roads in Brant Lake Estates to determine a speed limit, BE IT FURTHER

RESOLVED, that the Town Board does hereby authorize the posting of a STOP sign on Brant Lake Estates Loop at the bottom of the hill where it intersects with Brant Lake Estates Road.

Ayes: 5 Nays: 0

NEW BUSINESS- Authorization for Chris Smith-Hayes to attend classes.

RESOLUTION NO. 93 OF 2006

Messrs. Higgins & Hill introduced Res. 93 and moved its adoption:

RESOLUTION TO AUTHORIZE CHRIS SMITH-HAYES ATTEND CLASSES

RESOLVED, that the Town Board does hereby authorize Christine Smith-Hayes to attend the class "Introduction to Real Estate Appraisal" to be held in Utica, New York from August 7-11, 2006.

Hill-aye, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

OLD BUSINESS-

Fountain proposals- The Town Clerk received 2 proposals for the stone work on the fountain.

| | | |
|--------------|--------------|-------------|
| Proposal # 1 | Gary Hubbard | \$12,000.00 |
|--------------|--------------|-------------|

| | | |
|--------------|---------------|-------------|
| Proposal # 2 | Blair Gregson | \$25,000.00 |
|--------------|---------------|-------------|

After discussion, the following Resolution was introduced:

RESOLUTION NO. 94 OF 2006

Messrs. Hill & Higgins introduced Res. 94 and moved its adoption:

RESOLUTION TO ACCEPT PROPOSAL FOR MILL POND FOUNTAIN

WHEREAS, the Town Board requested proposals for stone work on the cement fountain in the Mill Pond to be turned in by July 19th,
AND

WHEREAS, two proposals were received by the clerk, as follows:

| | | |
|----|---------------|-------------|
| #1 | Gary Hubbard | \$12,000.00 |
| #2 | Blair Gregson | \$25,000.00 |

NOW, THEREFORE BE IT

RESOLVED, that the Town Board does hereby accept the proposal from Gary Hubbard for \$12,000.00 to do the stone work on the Mill Pond Fountain.

Hill-aye, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

OLD BUSINESS-

Plank in dam- MOTION made and seconded by Councilwoman Hayes and Councilman Higgins to put 2 planks in the dam, all ayes.

Pole Barn- Councilman Hill asked when the pole barn at the highway is going to come down. Supervisor Bentley said they have part of it down now. Councilman Hill said we need to get storage building(s). The best price we have found for rental of storage unit is \$100.00 a month (for at least 6 months), with a delivery charge of \$350.00, from Versatile Storage.

RESOLUTION NO. 95 OF 2006

Mr. Hill & Mrs. Hayes introduced Res. 95 and moved its adoption:

RESOLUTION TO AUTHORIZE RENTAL OF STORAGE UNIT

RESOLVED, that the Town Board does hereby authorize the rental of a 40 ft. storage unit for a period over six months, from Versatile Storage, for \$100.00 a month with a \$350.00 delivery charge.

Hill-aye, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

RESOLUTIONS-

RESOLUTION NO. 96 OF 2006

Messrs. Hill & Higgins introduced Resolution 96 and moved its adoption:

**RESOLUTION TO ACCEPT BED TAX MONIES
FROM WARREN COUNTY**

RESOLVED, that the Town Board of the Town of Horicon does hereby accept the amount of \$3,250.45 of Bed Tax monies from Warren County. Monies will be used in accordance with the Agreement previously signed.

Hill-aye, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

RESOLUTION NO. 97 OF 2006

Mrs. Hayes & Mr. Higgins introduced Resolution 97 and moved its adoption:

RESOLUTION TO TRANSFER FUNDS

RESOLVED, that the Town Board does hereby authorize the bookkeeper to make the following transfer to rectify a coding error.

| | |
|---------|---------------------------|
| From: | 7310.4 (Youth) |
| To: | 1910.4 (Unallocated Ins.) |
| Amount: | \$6090.00 |

Hill-aye, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

Privilege of Floor-

Joe Koch reported that the Schroon Lake Park District would like to convey the watering tub property to the Town as the SLPD does not want the liability. Counselor Schachner asked if SLPD wants to change the lines of the district as it stands now. Mr. Koch said they would like the Town to take ownership of the property, but not change the lines of the district. Mr. Koch added that the SLPD Commissioners thought that since the Town maintains the watering tub it would be best to offer it to Horicon, or to see if Horicon would sign agreement to hold the SLPD "harmless". Supervisor Bentley said the Town Board will take this under consideration.

Request for sign- Troy Scripture requested a sign for Ira Frasier Road because most people don't seem to know it is a Town road and they park right in the middle of it. Supervisor Bentley said a sign would be ordered.

Starbuckville Dam- Mr. Nitz wanted to thank Joe Koch for all his work on the new Starbuckville Dam. The Town Board also wanted Mr. Koch to know how much all his time and efforts were appreciated.

The Town Board then went into Executive Session on a MOTION by Messrs. Hill & Higgins, all ayes. Time 8:32 PM. Executive Session is pertaining to litigation.

The Board returned to regular meeting at 9:38 PM on a MOTION by Messrs. Olson & Higgins, all ayes.

Supervisor Bentley reported that the Board had discussed the litigation between the Town and the State of New York regarding the Local Law passed for ATV use. The following Resolution was then introduced:

RESOLUTION 98 OF 2006

Mr. Olson & Mrs. Hayes introduced Res. 98 and moved its adoption:

**RESOLUTION TO PROCEED WITH APPEAL IN THE
CASE OF DEC vs. THE TOWN OF HORICON**

RESOLVED, that the Town Board has authorized Town Counsel Mark Schachner to proceed with the Appeal in the case of New York State Department of Environmental Conservation vs. the Town of Horicon.

Hill-aye, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

This being all the business to attend to, the meeting was adjourned at 9:40 PM by MOTION of Mr. Higgins & Mrs. Hayes, all ayes.

Respectfully submitted:

Town Clerk

JULY 28, 2006 SPECIAL TOWN BOARD MEETING

| | | |
|---------------------|------------------------|--------------|
| Present at meeting: | Ralph Bentley | Supervisor |
| | Frank Hill | Councilman |
| | Robert Olson | Councilman |
| | Shirley Hayes | Councilwoman |
| | Kenneth Higgins-absent | |

Arlene Mayer Town Clerk

Also: Gary Hubbard, Paul & Sandi Smith

Supervisor Bentley opened the meeting and reported that the main reasons for this special meeting were the stonework on the fountain, and the coming vacancy in the office of Highway Superintendent. Fountain- The proposal for the stonework has already been awarded to Gary Hubbard for the price of \$12,000.00. Mr. Hubbard said he had based his price on Champagne Stone taking the bigger stone back and trading it for the smaller stone he wants to use. Mr. Hubbard said we have way too much stone for the project and it is not the right size. Mr. Hubbard suggests the Town purchase the smaller stone he wants and sell the larger stone on their own. After further discussion regarding the stone, the Board agreed they did not want to have the burden of the Town trying to sell \$5700.00 worth of stone. The Board wants to go with the stone we have. Mr. Hubbard said the smaller stone is so much easier to work with, and if the Town wants the bigger stone used he cannot do it for the price he proposed. Councilwoman Hayes asked what his price would be for the bigger stone. Mr. Hubbard said he did not know and he may not even want the project. Mr. Hubbard then left to work on another proposal. After further discussion, the Board introduced the following Resolution:

RESOLUTION NO. 99 OF 2006

Messrs. Hill & Olson introduced Res. 99 and moved its adoption:

**RESOLUTION TO AWARD PROPOSAL FOR STONEWORK
TO SECOND CONTRACTOR IF COUNTER PROPOSAL
FROM GARY HUBBARD IS NOT ACCEPTABLE**

WHEREAS, the Town of Horicon advertised for proposals for stonework to be done on the fountain using stones already purchased by the Town, AND

WHEREAS, two proposals were received for this work and the Town Board awarded the proposal to Gary Hubbard for the amount of \$12,000.00, AND

WHEREAS, Mr. Hubbard has informed the Board that his proposal was based on his assumption that the larger stone already purchased could be traded for smaller stone , AND

WHEREAS, the Town Board does not wish to purchase the smaller stone when they already have the larger stone on premise and the company will not trade it, NOW THEREFORE BE IT

RESOLVED, that the Town Board, wishing this project to move forward as soon as possible, will entertain a second proposal from Gary Hubbard using the stone already purchased. If this is not forthcoming or is not acceptable to the Board the proposal is hereby awarded to Blair Gregson for a price of \$25,000.00.

Hill-aye, Higgins-absent, Olson-aye, Hayes-aye, Bentley-aye

Boat Launch signs- Suggestions for wording on signs to be used at boat launches. Respect fellow boaters, be courteous to your neighbors and others, enjoy our lake, etc.

Highway Superintendent- The Town will have a vacancy as of August 14th. Councilman Olson said the major party petitions have already passed the filing date, but an Independent petition can still be filed.

RESOLUTION NO. 100 OF 2006

Mrs. Hayes & Mr. Olson introduced Res. 100 and moved its adoption:

**RESOLUTION TO AUTHORIZE ADVERTISING
FOR HIGHWAY SUPERINTENDENT**

RESOLVED, that the Town Board does hereby authorize the clerk to advertise for the vacancy in the office of Highway Superintendent.

Hill-aye, Higgins-absent, Olson-aye, Hayes-aye, Bentley-aye

The advertised position will be available from August 14th to December 31st. Councilman Hill said some qualifications are needed, but it would be hard to hold to certain ones. Councilman Olson said he wants to make sure the Board will not be accused of “sneaking it through” so advertising it is a must. We will see what applicants we get, maybe none.

Mechanic position- Councilman Hill reminded the Board that we are now without a mechanic. Councilman Hill met with the men at the highway and talked with them about an idea of finding a few of the men that would be willing to do light mechanical work for \$.50 +- more per hour. Discussion regarding tools and the lack of them. Butch offered the Town his mechanics tools for \$10,000.00. The Board was not interested in making such an investment at this time. If the Board were to hire another mechanic they would probably have their own set of tools. In the meantime the highway can purchase the basic tools the men need. Councilman Olson asked about the outsourcing of heavier jobs and whether we can get by without a mechanic. Councilman Hill said we have been outsourcing the bigger jobs for a long time now and “certain” basic maintenance work can and should be done by the driver.

This being all the business to attend to, the meeting was adjourned at 2:15 PM by MOTION of Messrs. Hill & Bentley, all ayes.

Respectfully submitted:

Town Clerk

AUGUST 3, 2006 SPECIAL TOWN BOARD MEETING

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| Present at meeting | Ralph Bentley | Supervisor |
| | Frank Hill | Councilman |
| | Kenneth Higgins | Councilman |
| | Robert Olson | Councilman |
| | Shirley Hayes | Councilman |

Also: Harry Balz, Bernie Bolton, Chris Johnson, Liz St.Clair
Supervisor Bentley said the main purpose of this special meeting is to authorize going to bid for a salt shed for the highway department. Harry Balz, Clerk of the Works, said the bid will be for a 18' X 36' “cover all” building. Our forces will put together the foundation and the company will install the covering. Building will be same type that NYSDOT uses. The building will probably run about \$18,000-\$19,000, with the total estimate of completed project (using our labor) to be \$31,750.00. The building will be located west of the stockpile for sand. Councilman Olson asked if this is a contingency item? Mr. Balz said this can be financed by the money budgeted for the jacking system lifts we will not be using (\$40,000.00) if that is what the Town Board wants to do. The Board then introduced the following Resolution regarding the salt shed.

RESOLUTION NO. 101 OF 2006

Mr. Hill & Mrs. Hayes introduced Res. 101 and moved its adoption:

**RESOLUTION TO AUTHORIZE BIDS FOR SALT STORAGE
MEMBRANE COVERED TRUSS TYPE STRUCTURE**

RESOLVED, that the Town Board does hereby authorize the clerk to advertise for bids for a 18' X 36' salt storage membrane covered truss type structure for Highway Department use. Bids will be accepted until 7:00 PM on August 17, 2006.

Hill-aye, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

Fountain- Gary Hubbard has withdrawn from the fountain project saying that he does not want to work with the stone we have. As per the Resolution passed at the last meeting, the proposal award went to Blair Gregson, who is pleased to get the project. Mr. Gregson happened upon this meeting in progress and reported to the Board. He will be able to get started next Monday or Tuesday. He won't be there every day, but will get it done as quickly as possible. Mr. Gregson said the stone we have is "great". He will need floats, which the Town will provide. Mr. Gregson also requested an \$8,000.00 payment to start the job.

RESOLUTION NO. 102 OF 2006

Mrs. Hayes & Mr. Olson introduced Res. 102 and moved its adoption:

RESOLUTION TO MAKE FIRST PAYMENT ON FOUNTAIN PROJECT

RESOLVED, that the Town Board does hereby authorize payment of \$8,000.00 to Mr. Blair Gregson as the first of three payments for the stonework project on the fountain. The second payment will be \$8,000.00 and the third \$9,000.00 for a total of \$25,000.00.

Hill-aye, Higgins-aye, Olson-aye, Hayes-aye, Bentley-aye

Alternative Septic System- Mrs. St.Clair spoke to the Board regarding her problems with getting a permit for an alternative septic system. Mrs. St.Clair said she wants to use Bernie Bolton as her excavator but ZA McMeekin will not issue a permit unless she uses Utopia as her contractor and Utopia does not contract with Bernie Bolton. Councilman Olson said our rules call for a generic system and we cannot insist on any particular contractor as long as the basic system is installed. Councilman Olson said "we owe this woman an apology and a permit. Councilman Olson asked Supervisor Bentley to give Mr. McMeekin the "Board's message". Bernie Bolton said Mr. McMeekin told him "no permit" and a zoning officer should not tell people who they can hire. Councilman Olson & Hill agreed. Chris Johnson said that Utopia seems to be only one who is allowed to do these systems, and until this weekend when they added Benny Newton to the list, they only hired excavators from Chestertown. Councilwoman Hayes said that "Bob" may have franchise, but does not have a monopoly. Chris Johnson said he was told they could only use one system. Councilman Olson said Mr. McMeekin does not have the authority to refuse to give a permit. Supervisor Bentley said this meeting was not called to discuss zoning and therefore Gary was not given the opportunity to explain his side.

After a short discussion of the fire at the Brant Lake General Store, the following Resolution was introduced:

RESOLUTION NO. 103 OF 2006

The Members of the Horicon Town Board introduced Res. 103 and moved its adoption:

**RESOLUTION OF APPRECIATION TO
THE HORICON VOLUNTEER FIRE COMPANY**

WHEREAS, in the early hours of August 1st, a devastating fire engulfed the Brant Lake General Store building, thankfully sparing lives, but not this historic and beloved cornerstone of Brant Lake, AND

WHEREAS, when something of this magnitude happens in a small community such as ours, all lives are touched in profound ways and memories are all that remain, AND

WHEREAS, sometimes in the rush of everyday life, recognition and appreciation are overlooked and the opportunity to shine the

spotlight on those who served above and beyond is bypassed, NOW,
THEREFORE BE IT

RESOLVED, that the Town Board, on behalf of a grateful community, wish to commend the Horicon Volunteer Fire Company for their tireless efforts to insure the safety of all, and to contain the fire the best they could to protect the surrounding properties from further damage, BE IT FURTHER

RESOLVED, that the Town Board, by this Resolution, wishes to extend to each and every one of our volunteer fire personnel their sincere appreciation for the dedication to duty shown the night of the fire and each and every time they answer the call. We are fortunate in this Community to have men and women who train for many hours of their own time in order to serve as volunteers, BE IT FURTHER

RESOLVED, that the Town Clerk be, and she is hereby requested to forward a copy of this Resolution to the Horicon Volunteer Fire Company together with the Best Wishes of the Horicon Town Board.

Ayes: 5 Nays: 0

This being all the business to attend to, the meeting was adjourned at 3:00 PM by MOTION of Messrs. Olson & Hill, all ayes.

Respectfully submitted: Arlene Mayer, Town Clerk